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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,388	07/25/2003	Manish Mangal	2225	3928
28005	7590	11/15/2005		
SPRINT 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100			EXAMINER FERGUSON, KEITH	
			ART UNIT	PAPER NUMBER
			2683	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/627,388

Applicant(s)

MANGAL ET AL

Examiner

Keith T. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,3-11,13-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haller et al. in view of Rinne et al., newly recited reference.

Regarding claims 1,3 and 8, Haller et al. discloses a method (fig. 3) of allocating call processing resources (paragraph 0022) comprising: receiving at a base transceiver station a signal sent wirelessly from a client station (paragraph 0036 lines 5-8), selecting one of multiple base station controllers to which to route the signal from the base transceiver station (paragraph 0037 lines 1-17); and routing the signal from the base transceiver station to the selected base station controller (paragraph 0037 lines 1-17 and paragraph 0038 lines 1-5). Haller et al. differs from claim 1 of the present invention in that it does not disclose the base station controller is selected based upon a characteristic of the

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signal. Rinne et al. teaches a base station chooses which of two radio network controllers to send messages to (paragraph 0079) and based upon a CDMA signal from a mobile station (paragraph 0106 line 1 through paragraph 0107 line 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Haller et al. with the base station controller is selected based upon a characteristic of the signal in order for the base station to rout a call from the mobile station to the proper network, as taught by Rinne et al.

Regarding claims 4-6 and 14-16, Haller et al. discloses detecting particular content (call set up information) (inherent, as a Mobile identification number originated from the wireless user when registering with a wireless network before dialing a phone number to ma network, as taught in paragraph 0036 lines 5-8) of the signal (paragraph 0036 lines 5-8); and responsively selecting one controller based at least in part on the particular content of the signal (paragraph 0037 lines 1-17).

Regarding claims 7 and 17, Haller et al. discloses sending the signal into an IP network (packet-switched network) to the selected base station controller (paragraph 0042 lines 4-14).

Regarding claim 9, Haller et al. discloses a method (fig. 3) comprising receiving at a base transceiver station a first signal sent wirelessly from a client station (paragraph 0042 lines 8-16); selecting a first one of multiple base station controllers to which to route the first signal from the base transceiver station, (paragraph 0042 lines 8-16) and routing the first signal over a IP network (packet-switched network) from

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the base transceiver station to the first selected base station controller (paragraph 0042 lines 4-16); receiving at the base transceiver station a second signal sent wirelessly from a client station; and selecting a second one of multiple base station controllers to which to route the second signal from the base transceiver station (paragraph 0042 lines 14-23), and routing the second signal over the packet-switched network from the base transceiver station to the second selected base station controller (paragraph 0042 lines 14-23). Haller et al. differs from claim 9 of the present invention in that it does not disclose the base station controller is selected based upon a characteristic of the signal. Rinne et al. teaches a base station chooses which of two radio network controllers to send messages to (paragraph 0079) and based upon a CDMA signal from a mobile station (paragraph 0106 line 1 through paragraph 0107 line 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Haller et al. with the base station controller is selected based upon a characteristic of the signal in order for the base station to rout a call from the mobile station to the proper network, as taught by Rinne et al.

Regarding claims 10,11,13,18 and 19 Haller et al. discloses a base transceiver station (paragraph 0034 and fig. 4 number 80) comprising: an antenna system configured to wirelessly receive signals from client stations (paragraph 0034 and paragraph 0036); and control logic tied locally to the antenna system (paragraph 0034), wherein the antenna system passes to the control logic the signals that the antenna system receives wirelessly from client stations (paragraph 0034 and paragraph 0036), and wherein the control logic in turn passes the signals to a remote base station controller (paragraph 0034 and paragraph 0036), wherein the control logic is arranged to select one of multiple remote base station controllers to which to route a given signal received by the antenna system (paragraph 0037, paragraph 0038 and paragraph 0042), and to then route the given signal to the selected remote base station controller (paragraph 0037, paragraph 0038 and paragraph 0042). Haller et al. further discloses selecting a first one of multiple base station controllers to which to route the first signal from the base transceiver station, (paragraph 0042 lines 8-16) and routing the first signal over a IP network (packet-switched network) from the base transceiver station to the first selected base station controller (paragraph 0042 lines 4-16); receiving

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at the base transceiver station a second signal sent wirelessly from a client station; and selecting a second one of multiple base station controllers to which to route the second signal from the base transceiver station (paragraph 0042 lines 14-23), and routing the second signal over the packet-switched network from the base transceiver station to the second selected base station controller (paragraph 0042 lines 14-23). Haller et al. differs from claims 10 and 19 of the present invention in that it does not disclose the base station controller is selected based upon a characteristic of the signal. Rinne et al. teaches a base station chooses which of two radio network controllers to send messages to (paragraph 0079) and based upon a CDMA signal from a mobile station (paragraph 0106 line 1 through paragraph 0107 line 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Haller et al. with the base station controller is selected based upon a characteristic of the signal in order for the base station to rout a call from the mobile station to the proper network, as taught by Rinne et al.

4. Claims 2 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haller et al. in view of Rinne et al. as applied to claims 1 and 10 and in further view of Nakashima.

Regarding claims 2 and 12, the combination of Haller et al. and Rinne et al. differs from claims 2 and 12 of the present invention in that they do not explicit disclose selecting the one base station controller based at least in part on a current time. Nakashima teaches at the time a mobile call has occurred, a base station controller is selected based upon its ability threshold to handle the call (paragraph 0013 lines 5-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made To modify the combination of Haller et al. and Rinne et al. with selecting the one base station controller based at least in part on a current time in order for the base station to select a base station controller based upon the bandwidth available when a call is placed by the wireless user, as taught by Nakashima.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (571) 272-7865. The examiner can normally be reached on 6:30am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be

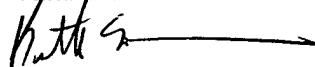
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reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300..

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson
Art Unit 2683
October 8, 2005

KEITH FERGUSON
PRIMARY EXAMINER

A handwritten signature in dark ink, appearing to read "Keith S.", followed by a horizontal line.